

LKH
TSA

21 February 1958

MEMORANDUM FOR THE RECORD

SUBJECT: Veterans Preference Act

1. As a result of the attached newspaper article (Washington Post, 21 February 1958) regarding a suit filed by Lester K. Born against USIA under the Veterans Preference Act, Mr. Houston asked me to follow up on this case.

2. Accordingly, I contacted USIA Deputy General Counsel Harry Carter (Code 182, x3559) and inquired if we could keep in touch with regard to the technical aspects of the case. He said that he would be most happy to keep us advised and that the case is being personally handled by attorney Scott Heuer (Code 182, x3795). Mr. Heuer is presently out of the city but Mr. Carter said he would leave a message for him regarding my call.

3. As a matter of background Mr. Carter stated that the State Department has consistently taken the position, contrary to the Civil Service Commission, that the Veterans Preference Act does not apply to the Foreign Service Staff of which Dr. Born is a member. The Department of Justice supports the State Department position. He stated that all parties are more or less awaiting the outcome of the decision of *Casman v. Dulles*, a case in which a stay was entered in the District Court for the District of Columbia in January in order to give Casman the right to go back to the Civil Service Commission. Casman was a judge in Germany under the occupation forces and when State Department took over from the Army, Casman sued to keep his job at the same time contending that the Veterans Preference Act was applicable. Carter states that his impression is that the Department of Justice has some confidence of winning this case.

4. I will get in touch with Mr. Heuer upon his return to the city.



Assistant General Counsel

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— Subject *Rev. 16*
Signer *w/ newspaper clipping*
Chrono